

Docket No: 21043-86  
LE9-00-043



PATENT

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

08-29-03  
*Bonnie S. Merue*

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GROUP 3600

**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

Applicant: Cavill et al. :  
Serial No.: 09/610,250 : Group Art Unit: 2624  
Filed: July 5, 2000 : Examiner: T. Lee  
For: **Printer Apparatus With  
Selectable Photo Enhancement,  
Project and Settings Storage,  
Dynamically Definable User Interface  
and Functions and Template  
Definition** :

**STATEMENT OF WILLIAM REED**

Dear Sir:

In October 1998, Lexmark International, Inc. announced and released the Lexmark 5770 Photo Inkjet Printer into the United States printer market. The Lexmark 5770 Photo Inkjet Printer was a stand-alone printer (i.e. no host device such as a computer was required) designed to print digital images captured by a digital camera directly from the removable storage medium of the digital camera. As with any printer on the market, occasionally there is a need to upgrade the operating system (firmware) to fix an error (bug) or add additional features. On a conventional, non-stand-alone printer, the firmware is usually upgraded through a computer connected to the printer and the new firmware is stored in the printer's non-volatile memory. Because the Lexmark 5770 Photo Inkjet Printer was a stand-alone

printer, the Lexmark 5770 Photo Inkjet Printer had the capability for a removable computer memory media to be inserted into the printer and the firmware contained on the removable computer memory media to be copied over to and stored on the non-volatile memory of the Lexmark 5770 Photo Inkjet Printer. After the new firmware had been stored in the non-volatile memory, the removable computer memory media is then removed and the Lexmark 5770 Photo Inkjet printer's firmware has been upgraded.

Respectfully submitted,

William H. Reed 8/19/03

William Reed  
Lexmark International, Inc.

923351.01



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**GROUP 3600**

*Handwritten: 112205 and a signature*  
**PATENT**

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Applicant: Cavill et al.

Serial No.: 09/610,250

Group Art Unit: 2624

Filed: July 5, 2000

Examiner: T. Lee

For: **Printer Apparatus With Selectable Photo Enhancement, Project and Settings Storage, Dynamically Definable User Interface and Functions and Template Definition**

**CONSIDERATION OF PRIOR FILED INFORMATION DISCLOSURE STATEMENT**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicants have recently noticed that the Examiner has apparently not considered the Information Disclosure Statement submitted by Applicants on November 09, 2000. Applicants requested the Examiner to consider the prior filed Information Disclosure Statement in a request filed on June 23, 2003. Applicants do not see any indication in the Notice of Allowance that the Examiner has considered the prior filed Information Disclosure Statement filed on November 09, 2000.

In accordance with MPEP §609 C(2), the Examiner is required to consider the references submitted in a complying Information Disclosure Statement and place the initials of the Examiner adjacent to the citations on the PTO-1449. Applicants have not received any indication that the Information Disclosure Statement of November 09, 2000 has been considered, nor have the Applicants received a copy of the PTO-1449 initialed by the Examiner. As such, Applicants request the Examiner to consider the Information Disclosure Statement submitted by Applicants on

November 09, 2000. Submitted herewith are copies of the Information Disclosure Statement, Certificate of Mailing and corresponding Form 1449s. Copies of the references were submitted on November 09, 2000. If the Examiner requires a second set of the references, please contact the undersigned attorney.

Since the prior statement was filed before mailing of the first office action, no certification or fee is required. Please charge any fees required in connection with this communication, and credit any excess in fees paid, to Deposit Account No. 04-1133.

Respectfully submitted,

By: 

Geoffrey L. Oberhaus  
Registration No. 42,955  
Attorney for Applicant(s)  
DINSMORE & SHOHL, LLP  
1900 Chemed Center  
255 East Fifth Street  
Cincinnati, Ohio 45202  
(513) 977-8623

930274v1



PLEASE ACKNOWLEDGE & RETURN TO US:

DATE MAILED: 11-09-00

☐ Application  
☐ Declaration  
☐ Assignment  
☐ Drawings-Formal/Informal  
☐ Missing Parts  
☐ Amendment-Spec/Claims/Drwgs.  
☒ Information Disclosure  
☐ Extension of Time  
☐ Issue Fee  
☐ Deposit Acct Form in Duplicate



Docket NO.: LE9-00-043

OTHER: \_\_\_\_\_

In Re Appln. of: BARRY R. CAVILL ET AL.

Title: PRINTER APPARATUS WITH SELECTABLE PHOTO ENHANCEMENT, PROJECT AND SETTING STORAGE, DYNAMICALLY DEFINABLE USER INTERFACE AND FUNCTIONS AND ....

Total Pgs of Spec: \_\_\_\_\_ No. of Claims \_\_\_\_\_ Pgs. of Drawings: \_\_\_\_\_

Serial No.: 09/610,250 Filing Date: 07/05/2000

Attorney: JACQUELINE M. DASPIT 36,779

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